

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 14

Date: June 3, 2009

Subject: Report on Surface Transportation Reauthorization Submittal

Recommendation:* Receive report on SANBAG's project submittals for the next surface transportation reauthorization bill.

Background: Last month, SANBAG staff reported that Chairman James Oberstar and Ranking Member John Mica, of the House Transportation and Infrastructure (T&I) Committee, want the Committee to markup a new bill for surface transportation authorization before the end of May.

The current transportation reauthorization bill, known as the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) prescribes annual federal funding levels for transportation during Fiscal Years (FY) 2003 – 2009, and will expire on September 30, 2009.

In February 2009, the SANBAG Board approved principles for SAFETEA-LU reauthorization and a corridor approach for which to seek earmark funds. The Board also prioritized specific transportation projects should Congress require project earmarks be submitted as individual, projects (please see Attachment #1).

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*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

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50309000

During the month of April, the House of Representatives announced a call for projects for the next surface transportation reauthorization act. According to the House T&I Committee, project information for potential High Priority Projects was specifically desired, however, project information for Projects of National and Regional Significance were also welcomed. Also, House T&I required verification of these project types per Title 23 (Highways Code) and Chapter 53 of Title 49 (Transit Code).

SANBAG submitted project requests for reauthorization to Congressman Joe Baca, Congressman David Dreier, Congressman Jerry Lewis, Congressman Howard "Buck" McKeon, and Congressman Gary Miller. Each member provided forms for SANBAG to complete and required specific information for each project. With regard to the SANBAG adopted corridor strategy for highway and grade separation projects for reauthorization, staff originally prepared to submit projects as corridor projects for each of the highway corridors; a public private partnership project for the High Desert Corridor; and a package of grade separation projects (please see Attachment #1). However, per direction from our Congressional delegation, the House T&I Committee, and our federal advocates, staff was limited to submitting forms for prioritized SANBAG projects for reauthorization (Attachment #1-**Bolded projects**). Additionally, SANBAG partnered with Metrolink and the High Desert Corridor Joint Powers Authority to work on a more strategic and collaborative effort for Positive Train Control and the High Desert Corridor, which are two projects that extend outside of San Bernardino County and have a greater potential impact for the entire Southern California region.

For non-prioritized projects on the SANBAG project list for reauthorization, SANBAG and its federal advocates have been advocating for our desired strategy to include all corridor projects as Projects of National and Regional Significance in the next surface transportation reauthorization act.

For projects not included on SANBAG's adopted list of projects for reauthorization, staff worked with member jurisdictions, per request, to provide letters for project submittals (please see Attachment #2).

From April 3 through May 15, 2009, SANBAG provided 103 letters to our House delegates for potential reauthorization projects, which includes letters for projects on SANBAG's adopted reauthorization list.

All potential projects for reauthorization were submitted to House delegates during the month of April and May. The projects our delegation submitted to House T&I for consideration and inclusion in the draft surface transportation

reauthorization bill have been posted to the Web sites of each individual House member. Attached, please find a quick reference sheet for your review (please see Attachment #3).

During May's Mountain/Desert Committee, members voted to request the SANBAG Board to support the Victor Valley Mobility Advancement Project, also known as the Yucca Loma Bridge/Corridor; however since the formal request for this project was already submitted to House T&I by Congressman Jerry Lewis, the request for Board support was withdrawn by the Town of Apple Valley.

At the time of print of this agenda item, it is still unclear how many requests will appear in the reauthorization bill as the House delegates have requested. While House T&I Chairman Oberstar is working towards a \$400 - \$500 million reauthorization bill, required funding to support a program that size is problematic. If the federal excise tax on gasoline continues to be the primary funding source for the nation's surface transportation program, it is estimated that an additional federal excise tax on gasoline of 25 cents, for a total of 43.4 cents (which does not include the state excise tax on gasoline of 18 cents) would be necessary to support a \$400 million - \$500 million program. That said, Congress is concerned about the negative economic impacts of raising the excise tax on gasoline and so Congressional leaders are soliciting support for alternative funding sources as the reauthorization bill language is drafted.

In contrast to the House action on the next surface transportation reauthorization bill, the Senate has not announced a call for projects and typically does not do so until the bill is ready to go to Conference Committee, where the House and the Senate negotiate on the differences between each version of the bill. SANBAG staff is starting to develop policy proposals to present to Senator Dianne Feinstein and Senator Barbara Boxer to protect Congestion Mitigation Air Quality (CMAQ) funds and to seek a categorical exemption for grade separations in the National Environmental Protection Act (NEPA). A draft of these proposals will be presented to SANBAG's Administrative Committee during the month of June.

Financial Impact: Funding for SANBAG's legislative program is consistent with the adopted SANBAG Budget Task No. 50309000. Funding from the next surface transportation reauthorization act may provide potential financial benefits in SANBAG's transportation programs.

Reviewed By: This item was reviewed by the Administrative Committee on May 13, 2009 and the Mountain Desert Committee on May 15, 2009.

Responsible Staff: Jennifer Franco, Director Intergovernmental and Legislative Affairs

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Board Approved SANBAG Reauthorization Requests (\$737 Million)

SANBAG's reauthorization strategy is part of a multi-faceted approach to securing funding and includes the following capital improvement projects. Projects listed below are regionally significant projects that are aligned with National Corridors and Trade Corridors of National Significance. In addition, included are key transit facilities. The board approved reauthorization requests are shown below. Projects that are ***bold and italicized*** have been prioritized within a given corridor.

TOTAL I-15 CORRIDOR REQUESTS (\$276 Million) TO INCLUDE:

- ***#1 Priority Request:***
Interstate I-15/I-215 Devore Interchange, San Bernardino County
Estimated Total Project Cost: \$369 Million; Requested Authorization: \$151 Million
- ***#6 Priority Request:***
I-15 Mainline Expansion between SR-60 and I-10, San Bernardino County
Estimated Total Project Cost: \$100 Million; Requested Authorization: \$50 Million
- ***#4 Priority Request:***
"The Economic Stimulus Interchanges: I-15/Nisqualli-LaMesa AND I-15/Ranchero Rd"
Estimated Project Cost: \$153 Million (\$93/\$60 Million respectively)
Requested Authorization: \$75 Million
- I-15/Baseline Road, interchange, Rancho Cucamonga
Estimated Total Project Cost: \$43 Million
- I-15/Eucalyptus, interchange, Hesperia
Estimated Total Project Cost: \$50 Million
- I-15/Joshua/Muscatel, interchange, Hesperia
Estimated Total Project Cost: \$50 Million

TOTAL I-10 CORRIDOR REQUESTS (\$120 Million) TO INCLUDE:

- ***#2 Priority Request:***
I-10 Mainline High Occupancy Vehicle (HOV) Lanes, between I-215 and SR-210
Estimated Total Project Cost: \$200 Million; Requested Authorization: \$100 Million
- ***#3 Priority Request:***
Interstate 10/Cedar Avenue, interchange, Colton/Rialto
Estimated Total Project Cost: \$49 Million; Requested Authorization: \$20 Million
- Interstate 10/University, interchange, Redlands
Estimated Total Project Cost: \$5.51 Million
- Interstate 10/Alabama, interchange, Redlands
Estimated Total Project Cost: \$27 Million
- Interstate 10/Mt. Vernon, interchange, City of San Bernardino
Estimated Total Project Cost: \$32 Million

TOTAL ALAMEDA CORRIDOR EAST CORRIDOR PROJECTS (\$27 Million) TO INCLUDE:

- **#5 Priority Request:**
Lenwood Grade Separation, Barstow
Estimated Total Project Cost: \$26 Million; Requested Authorization: \$12 Million
- **#7 Priority Request:**
Vista Rd Grade Separation
Estimated Total Project Cost: \$34 Million; Requested Authorization: \$15 Million

TOTAL PUBLIC PRIVATE PARTNERSHIPS PROJECTS (\$148 Million) TO INCLUDE:

- **High Desert Corridor, Victorville**
Estimated Total Project Cost: \$900 Million; Requested Authorization: \$148 Million

TOTAL TRANSIT PROJECTS (\$166 MILLION) TO INCLUDE:

#1 Priority – E Street sbX BRT (Bus Rapid Transit Project)
Estimated Total Project Cost: \$192 million; Requested Authorization: \$50 million

#2 Priority – Positive Train Control
Estimated Total Project Cost: \$150 million; Requested Amount: \$30 million

#3 Priority – VVTA Administrative, Operations & Maintenance Facility
Estimated Total Project Cost: \$42 million; Requested Amount: \$10 million

#4 Priority – San Bernardino Transit Station
Estimated Total Project Cost: \$25 million; Requested Amount: \$16 million

#5 Priority – Redlands Rail Project
Estimated Total Cost \$228 million; Requested Amount: \$60 million

Attachment #2

Additional Letters Provided by SANBAG for Potential Transportation Reauthorization Projects

<i>Project</i>	<i>Submitted by</i>	<i>Est. Project Phase Cost</i>	<i>Request amount</i>
SR-60/Central Avenue Interchange	City of Chino	\$48.1m	\$15m
Chino-Corona Road	City of Chino	\$6m	\$3m
I-10/Citrus Interchange	City of Fontana	\$38.88m	\$9.48m
I-10/Alder Avenue Interchange	City of Fontana	\$2.5m	\$2m
I-10/Beech Avenue Interchange	City of Fontana	\$2.5m	\$2m
Victor Valley Mobility Advancement Project (Also known as the Yucca Loma Bridge/Corridor)	City of Hesperia		
I-210/5th Street Interchange	City of Highland	11.4m	5.7m
Monte Vista Grade Separation	City of Montclair	\$3.5m	\$2.8m
Alternative Analysis & System Wide Transit Plan	Omnitrans	\$1.6m	\$1.6m
Chino Transit Center, Phase 2	Omnitrans	\$3m	\$3m
Mission Boulevard Widening, Phase 1	City of Ontario	\$14.18m	\$12.88m
Mission Boulevard Widening, Phase 2	City of Ontario	\$4m	\$4m
I-10 at Grove Avenue/Fourth St. Interchange	City of Ontario	\$8m	\$5.77m
I-10/Vineyard Avenue Interchange	City of Ontario	\$3.5m	\$3.5m
SR-60/Grove Avenue Interchange	City of Ontario	\$3.5m	\$3.5m
SR-60/Vineyard Avenue Interchange	City of Ontario	\$3.5m	\$3.5m
Redlands Blvd./Alabama & Colton Ave. Interchange	City of Redlands	\$13.527m	\$9m
Rialto Metrolink Parking Lot	City of Rialto	12m	9.6m
Riverside Bridge Widening	City of Rialto	\$6m	\$4.4m
Cactus Crossing Project	City of Rialto	\$10.5m	\$8.4m
Pepper Avenue Extension to SR-210	City of Rialto	\$15m	\$12m
I-215/University Pkwy	City of San Bernardino	\$24.6m	\$15.442m
Arrow Highway Widening	City of Upland	\$4.5m	\$4.5m
Foothill Boulevard	City of Upland	\$6m	\$6m
Yucaipa Boulevard Widening Project	City of Yucaipa	\$5m	\$4m

*Please note: These letters were provided per request of the city/transit operator listed above

Attachment #3

House Member Requested Projects for the Next Surface Transportation Reauthorization Bill		
Member	Project	Amt Requested
Baca	<i>I-15/Mainline Expansion Project</i>	\$32,000,000
	<i>I-10/Cedar Avenue Interchange</i>	\$20,000,000
	<i>San Bernardino Rapid Bus Project (sbX)</i>	\$50,000,000
	<i>San Bernardino Intermodal Transit Center</i>	\$16,000,000
	I-10/Cherry Interchange	\$29,000,000
	Agua Mansa Road (City of Colton)	\$4,532,400
	I-10/Citrus Avenue Interchange	\$9,481,127
	I-10/Grove Avenue Interchange and Grove Corridor	\$4,925,000
	SR-60 at Grove Avenue	\$2,800,000
	Rialto Metrolink Parking Lot Expansion Project	\$9,600,000
Dreier	Pepper Extension to SR-210	\$12,000,000
	Riverside Bridge/Union Pacific Railroad	\$4,400,000
	Cactus Crossing	\$8,400,000
	California State University San Bernardino Transportation Center	\$5,000,000
	San Bernardino Valley Express Corridor	\$1,280,000
	<i>I-15/I-215/Devore Interchange Improvement Project</i>	\$151,000,000
	<i>I-15/Base Line Interchange</i>	\$5,300,000
	<i>Positive Train Control</i>	\$20,000,000
	I-15/Arrow Route Interchange project	\$500,000
McKeon	Gold Line Extension Project	\$10,000,000
	Monte Vista Grade Separation	\$2,800,000
	<i>High Desert Corridor</i>	\$10,000,000
	<i>Lenwood Grade Separation</i>	\$6,700,000
	I-15/Nisqualli Road Corridor	\$8,000,000

Attachment #3

Miller	Positive Train Control	\$20,000,000
	Widening of Central Avenue over SR-60	\$15,000,000
	Fairfield Ranch Realignment	\$1,755,000
	Phase II Los Serranos Streetscaping	\$1,600,000
	Peyton Drive Widening and Improvements	\$5,000,000
	California State University San Bernardino Leonard Transportation Center	\$5,000,000
	Gold Line Extension	\$10,000,000
	Omnitrans Alternative Analysis and System Wide Transit Corridor Plan	\$1,280,000
	Omnitrans Chino Transit Center	\$2,560,000
Lewis	I-15/Ranchero Road Interchange	\$20,900,000
	Vista Road Grade Separation	\$15,000,000
	I-10/Alabama and Redlands Blvd./Alabama Street and Colton Ave. Intersection Improvements	\$9,000,000
	3rd and 5th Street Roadway Improvements	\$10,800,000
	5th Street Widening and SR-210 Improvements	\$5,700,000
	California Street/Redlands Blvd. Improvement Project	\$4,400,000
	CSUSB Transportation Center	\$5,000,000
	Highway 62 Rehab and Street Improvement Project	\$2,800,000
	I-215/University Parkway Interchange	\$13,400,000
	Mt. View Ave. Bridge and Roadway Improvements	\$16,320,000
	Needles Highway	\$79,900,000
	Rock Springs Road Bridge	\$18,000,000
	SR-62 Highway Corridor Improvements Project	\$6,300,000
	SR-210/Victoria Ave. Interchange Improvements Project	\$76,800,000
	Yucaipa Blvd. Improvements Project	\$4,000,000
	Yucca Loma Bridge/Yates Road/Green Tree Blvd. Congestion Relief	\$55,100,000
	Inland Empire Goods Movement Gateway Phase 2	\$115,700,000
	Total amount requested from all five Congressional members for San Bernardino County:	\$940,108,670

*Please Note: This list only includes projects located within San Bernardino County

**Please Note: These projects are subject to the selection process by the House Transportation and Infrastructure Committee and are subject to adoption by Congress.

Minute Action

AGENDA ITEM: 15

Date: June 3, 2009

Subject: Approve appraisals and authorize offers for properties necessary for the Hunts Lane and Union Pacific Railroad Company (UPRR) Grade Separation Project

Recommendation:*

1. Approve appraisals for eleven (11) parcels listed in Attachment 'A' for the railroad grade separation project (Project) at Hunts Lane and Union Pacific Railroad Company (UPRR) in the Cities of San Bernardino and Colton.
2. Authorize proceeding with acquisitions of 11 parcels of the estimated 29 parcels necessary for the Project and utility relocation design for an estimated amount of \$477,000.

Background: As part of the Traffic Congestion Relief Program (TCRP) established by Assembly Bill 2928 of 2000, SANBAG was the designated recipient of \$95 million for Alameda Corridor East railroad grade separation projects. Hunts Lane at the UPRR tracks is one of the five projects identified for this funding. With the announcement from Governor Schwarzenegger that Proposition 42 funds would not be suspended in Fiscal Year 2005/06 this and other TCRP projects were once again restarted. As the design and environmental work is virtually complete the next step in delivering this grade separation project is securing the right of way for the projects.

On April 2, 2008, the Board authorized the start of the project right of way appraisal and acquisition phases and began utility relocations.

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*Approved
Board of Directors*

Date: June 3, 2009

Moved: Second:

In Favor: Opposed: Abstained:

Witnessed: _____

The County Real Estate Services Department had completed appraisals for 11 parcels of the estimated 29 parcels that will be needed to construct the Hunts Lane project. The 11 parcels are summarized in attachment "A." Pursuant to Civil Code of Procedure Section 1263.25, the property owner is entitled to obtain an independent appraisal for actual reasonable costs up to \$5,000. The total estimated appraisal amount and 25% negotiation contingency is \$377,000.

Copies of the appraisals will be on file with the Director of Freeway Construction. The Board should be aware that while condemnation actions for these properties is a last resort and SANBAG's agent will go to every extent possible to avoid such actions, there is a potential that these properties may need to be acquired through eminent domain proceedings.

Along Hunts Lane there are numerous utility purveyors who encroach on the proposed design. Kinder Morgan, and Colton Electric have prior rights to their locations or existing agreements that make the design and/or relocation of the utility the expense of the project. \$100,000 is being estimated for the relocation design. When the relocation drawings are completed SANBAG staff will be recommending another item to compensate for the construction relocation.

Financial Impact: Item is consistent with current Fiscal Year 2008/2009 budget. TN 870.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.

Responsible Staff: Garry Cohoe, Director of Freeway Construction

ATTACHMENT "A"
Hunts Lane/UPRR Grade Separation - Parcels Information

PARCEL #	A.P.N. #	OWNER	ADDRESS	CITY	TYPE
1	Lot B Tract 11759	West Colony Community Association	Common Area on Dartmouth Road	San Bernardino	Grading & Drainage Easement
2	141-471-08	Tobin A. Brinker Valorie E. Brinker	2462 South Dartmouth Road	San Bernardino	Utility Easement
3	141-471-09	Vertenia Renee Robinson	2458 South Dartmouth Road	San Bernardino	Utility Easement
4	141-471-10	Juliette Strong	2456 South Dartmouth Road	San Bernardino	Grading & Drainage Easement
5	141-321-15	Regal Storage, LLC.	194 West Commercial Road	San Bernardino	Utility, Drainage and Temporary Construction Easement, and Maintenance & Emergency Access Rights
6	164-321-27	John E. Dieterich Gail A. Dieterich	Vacant Land	San Bernardino	Temporary Construction Easement
7	164-392-62	David F. Patterson Angela M. Patterson	808 South Smallwood Street	Colton	Temporary Construction Easement
8	164-391-02	Awoke Sheferaw Bezuneshe Mebratu	2381 Riverwood Street	Colton	Temporary Construction Easement
9	164-311-06 164-311-46	Conagra Inc.	661 South Hunts Lane	Colton	Utility Easement
10	164-311-02	JMDH Real Estate of Colton LLC	Private Road	Colton	Permanent Roadway Easement
11	164-311-01	J. E. Dieterich Gail E. Dieterich	Private Road	Colton	Permanent Roadway Easement

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
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Minute Action

AGENDA ITEM: 16

Date: June 3, 2009

Subject: Amendment No. 6 to extend the period of performance and increase the contract amount for Contract 02-042 with Moffatt & Nichol Engineers for Engineering, Right of Way and Construction Support Services for the Hunts Lane and Union Pacific Railroad (UPRR) Grade Separation Project

Recommendation:* Approve Amendment No. 6 to Contract 02-042 with Moffatt & Nichol Engineers to extend the period of performance to June 30, 2013 and to increase the contract amount by \$400,453 for a new not-to-exceed total of \$2,476,215.

Background: This is an amendment to an existing contract. As part of the Traffic Congestion Relief Program (TCRP), SANBAG was the designated recipient of \$95 million for railroad grade separation projects in San Bernardino County. Hunts Lane and UPRR Grade Separation Project is one of the projects within this program. At the request of the cities of Colton and San Bernardino, SANBAG was assigned to act as the lead agency for this project. In October 2001 through a competitive qualification based selection process, Moffatt and Nichol Engineers (M&N) was selected to perform preliminary engineering and environmental on the project for a not-to-exceed total of \$261,287. In October 2002, the SANBAG Board authorized Amendment 1 for \$1,171,941, for M&N to provide engineering services for final design and right of way (ROW) engineering.

*

Approved
Board of Directors

Date: June 3, 2009

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

In 2002, the flow of TCRP funds to transportation projects including the grade separation projects was suspended. Therefore, in December 2003, the Board authorized Amendment 2 that extended the period of performance for the contract. In 2004 it was announced that TCRP funds would be available in Fiscal Year 2005/06, hence, Hunts Lane and other projects were restarted. In April 2005 the Board authorized Amendment 3 that extended the contract through June 30, 2006.

While the project was suspended, the UPRR added a new track within the limits of the project. This triggered the need to both revise the design and update the project. In the meantime, during the reauthorization of the federal transportation authorizing act, a \$5 million federal funding earmark was included for this project. Because the federal funds required National Environmental Policy Act (NEPA) compliance and changes to the project that occurred during the suspension of the project, in January 2006 the Board authorized Amendment 4 for \$396,026 and extended the period of performance to June 30, 2007. As a result of NEPA clearance, several additional design modifications were identified. Therefore, in November 2007 the Board approved Amendment 5 which provided an additional \$246,508 and extended the period of performance to June 30, 2009.

Presently, the PS&E is 95% completed; however, many issues have surfaced and presented additional design challenges. The issues are:

- Three adjacent property owners concerns regarding privacy, safety, noise, and loss of property value due to the elevated bridge structure right adjacent to their homes.
- The current design had the overhead lines located on the elevated structure. This would not be aesthetically pleasing having poles on top of a thirty foot high structure.
- A medical clinic on Cooley Drive is required as part of their State license to have pedestrian access to the clinic within a stipulated distance from a bus stop. With the construction of the grade separation Cooley Drive will be cul-de-sac resulting in the stipulated distance not being met.

The most economical means to solve these three issues is to purchase the three houses. This will eliminate the residences issues, the overhead lines can be located within the acquired right-of-way, and a pedestrian access can be installed within the acquired right-of-way. This will result in an overall savings to the project.

Other additional scope items are required and included within this amendment as described below. The geometric design at Oliver Holmes and Hunts Lane intersection require additional geometric modifications beyond the original scope to provide truck circulation and related turning movements. In addition, traffic conditions had changed in the Oliver Holmes intersection. The traffic signal warrant is over four years old and needs to be revisited utilizing existing traffic. In the event that a signal is needed in this location, the design of the signal and modifications of the intersection are also included in this amendment. In addition, due to the Federal Funds on this project, a Value Analysis (VA) is required. Lastly, M&N engineering services during construction are required and accommodated within this amendment.

The scope of work included in this amendment is described in Attachment "A" and "C". The total cost of this amendment is \$400,453 and includes \$18,223 of contingency. The amendment also identifies prior scope items not completed and not needed totaling \$118,558 as shown in Attachment "B". The \$118,558 has been credited to the project offsetting the cost of the additional scope described above.

Financial Impact: Item is consistent with current Fiscal Year 2008/2009 budget. TN 870.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009. SANBAG Counsel has reviewed and approved the amendment as to form.

Responsible Staff: Garry Cohoe, Director of Freeway Construction

SANBAG Contract No. 02-042-06
by and between
San Bernardino County Transportation Authority
and
Moffatt & Nichol Engineers
for

PS&E and Right of Way for Hunts Lane/UPRR Grade Separation

FOR ACCOUNTING PURPOSES ONLY				
<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # Vendor ID <u>MNE</u>	Retention: <input type="checkbox"/> Yes ____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Original <input checked="" type="checkbox"/> Amendment	
Notes:				
Original Contract: \$ <u>237,534</u>		Previous Amendments Total: \$ <u>1,659,760</u>		
		Previous Amendments Contingency Total: \$ <u>154,715</u>		
Contingency Amount: \$ <u>23,753</u>		Current Amendment: \$ <u>382,230</u>		
		Current Amendment Contingency: \$ <u>18,223</u>		
Contingency Amount requires specific authorization by Task Manager prior to release.				
Contract TOTAL →				\$ <u>\$2,476,215</u>
↓ Please include funding allocation for the original contract or the amendment.				
Task	Cost Code	Funding Sources	Grant ID	Amounts
<u>870</u>	<u>5553</u>	<u>TCRP/Prop 42</u>	<u>O272</u>	<u>\$400,453</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
Original Board Approved Contract Date: <u>10/03/01</u> Contract Start: <u>10/03/01</u> Contract End: <u>6/30/07</u>				
New Amend. Approval (Board) Date: <u>06/03/09</u> Amend. Start: <u>06/03/09</u> Amend. End: <u>6/30/13</u>				
If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:				
Approved Budget Authority →	Fiscal Year: <u>08/09</u> \$ <u>150,000</u>		Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>250,453</u>
Is this consistent with the adopted budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If yes, which Task includes budget authority? <u>87009000</u>				
If no, has the budget amendment been submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONTRACT MANAGEMENT				
Please mark an "X" next to all that apply:				
<input type="checkbox"/> Intergovernmental <input type="checkbox"/> Private <input type="checkbox"/> Non-Local <input checked="" type="checkbox"/> Local <input type="checkbox"/> Partly Local				
Disadvantaged Business Enterprise: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes ____ %				
Task Manager: Garry Cohoe			Contract Manager: Andrea Nieto	

 Task Manager Signature Chief Financial Officer Signature	 Contract Manager Signature Date
Date <u>5/7/09</u>	Date <u>5/7/09</u>
Date <u>4/7/09</u>	

AMENDMENT NO. 6

CONTRACT NO. 02-042

AGREEMENT BETWEEN

**SAN BERNARDINO ASSOCIATED GOVERNMENTS/
SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY**

AND

MOFFAT & NICHOL ENGINEERS

This AMENDMENT No. 6 to SANBAG Contract No. 02-042 entered into this 3rd day of June 2009, by the firm of Moffatt & Nichol Engineers, hereafter referred to as CONSULTANT, and the San Bernardino Associated Governments/San Bernardino County Transportation Authority, hereafter referred to as AUTHORITY, collectively hereafter referred to as PARTIES:

WITNESSETH

WHEREAS, SANBAG under Contract 02-042 has engaged the services of CONSULTANT to provide Engineering, Right of Way and Construction Support Services for Hunts Lane/UPRR Grade Separation, hereafter referred to as the PROJECT; and,

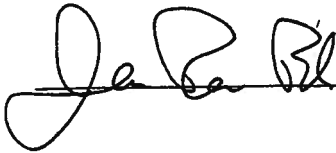
WHEREAS, the PARTIES desire to amend the aforesaid contract to extend the period of performance and to increase the contract amount.

NOW THEREFORE, the parties hereto do mutually agree to amend Contract No. 02-042 as follows:

1. The period of performance for Contract No. 02-042 shall be amended to extend the duration of Contract 02-042 to June 30, 2013.
2. The contract scope of services is hereby amended to include the work described in Attachment "A" and "C" of this Amendment No. 6 which is hereby incorporated into the Agreement.
3. The not-to-exceed cost of Contract No. 02-042 shall be increased by \$400,453, which includes a \$18,223 of contingency, for a not-to-exceed total contract amount of \$2,476,215. The costs shall include all work performed by subconsultants, and all overhead costs, other direct costs, and fee for CONSULTANT and subconsultants, as detailed in Attachments "B" and "D".
4. All other provisions of Contract No. 02-042 shall remain in full force and effect.

IN WITNESS THEREOF, the authorized parties have below signed:

Moffat & Nichol Engineers

By: _____

Date: 5-14-09

**San Bernardino
County Transportation Authority**

By: _____
Gary C. Ovitt, President
SANBAG Board of Directors

Date: _____

APPROVED AS TO FORM:

By: _____
Jean-Rene Basle
SANBAG Counsel

Date: _____



3780 Kilroy Airport Way
Suite 600
Long Beach, California 90806

(562) 426-9551
Fax (562) 424-7489

April 30, 2009

San Bernardino Associated Governments
1170 W., 3rd Street
2nd Floor
San Bernardino, CA 92410-1715

Attn: Ms. Andrea Nieto
Subj: Contract Change Order Request No. 6
Hunts Lane Grade Separation

Dear Ms. Nieto:

Please find attached the revised scope and fees for modifications to the construction documents for the Hunts Lane Grade Separation project. The revisions include design of four private property walls, and credits to SANBAG from Amendments 1 and CCO5 plus modifications requested at the April 29 meeting. The scope and fees have been organized by individual task numbers with a detail description of the task and a fees breakdown by classifications.

We appreciate the opportunity to be of service to SANBAG and its staff in the last steps for the completion of the Hunts Lane Grade Separation project.

Sincerely,

MOFFATT & NICHOL

Walt Quesada, PE
Project Manager

REQUEST No. 6 – HUNTS LANE PROJECT ADDITIONAL SCOPE OF WORK

The following outlines a description of the different tasks that comprise the efforts requested under Amendment No. 6.

Task 6.1 – Management

This task reflects the management effort that would take to perform the activities described below and accounts for the contract extension.

Task 6.2 – Environmental Document Modifications

This task involves conducting supplementary environmental services. A California Environmental Quality Act (CEQA) Statutory Exemption (SE) was approved by SANBAG for the project in April 2006. A National Environmental Policy Act (NEPA) Categorical Exclusion (CE) was approved by California Department of Transportation (CALTRANS) District 8 in June 2007. During the design of the project, it was determined that additional right-of-way will be needed requiring a re-validation of the CE.

Task 6.2.1 Revise APE Map

A Supplemental Historic Property Survey Report (HPSR) and a revised Area of Potential Effects (APE) Map was submitted to Caltrans for review on July 3, 2008. Comments were received on August 12, 2008. Prior to completion of the final report, the PDT team decided for the benefit of the project to make additional right-of-way requirement changes, requiring modifications to the project description and the APE Map. LSA incorporated three more sets of revisions to the APE Map. It is anticipated that LSA will be required to submit two more draft copies of the Supplemental HPSR to Caltrans for review.

Task 6.2.2 Plaque Letter

As requested by SANBAG, LSA will prepare a letter signed by an architectural historian that discusses the plaque that commemorates the location of the former Jurupa Ranch. The letter will include the following:

- A brief description/history of the plaque and what it commemorates
- An explanation that the plaque has been moved at least once and the site it commemorates is completely gone.
- A discussion of the correspondence from State Office of Historic Preservation (OHP).
- A discussion that relocation of the plaque to a nearby location will not have a negative impact on a historic resource.
- A recommendation that the City contact the Native Daughters of the Golden West as courtesy.

Task 6.2.3 CEQA/NEPA Revalidation Form

LSA prepared a NEPA/CEQA Revalidation Form based on the first set of project description changes. It is anticipated that LSA will need to attend two more PDT meetings and will need to submit two draft copies of the Revalidation Form to Caltrans for review. The revisions to the project will require the relocation of three residential properties. It is possible that Caltrans may request preparation of a technical study (e.g., Draft Relocation Impact Statement -DRIS) in order to address these changes. We

propose to submit the Revalidation Form with standard requirements for relocation of properties. If a DRIS is required, additional budget may be required to complete this task.

Task 6.2.4 Coordination with LSA/SANBAG/CALTRANS

This task includes coordinating efforts required within the team as well as with Caltrans.

Task 6.3 – Right-of-Way Support

This task provides for various right-of-way changes such as acquisition of three parcels, to accommodate changes to the design of the utility corridor or to accommodate the cities needs in terms of maintenance and emergency access. These changes will create overall construction savings, facilitate future operations for City staff and would simplify the right-of-way procurement process.

Due to access modifications for emergency and maintenance vehicles, thirty-nine, of the right-of-way descriptions and plats will require to be entirely or partially modified. In addition, vehicular access to various properties along Oliver Holmes will need to be studied for feasibility of business operations, pedestrian access options for customers of local clinic will also need to be studied as well as drainage maintenance options for the residences along Redwood Avenue will need to be identified.

Task 6.3.1 Modifications at Oliver Holmes

Oliver Holmes is a private road that originally was not expected to be modified in terms of its present geometry except for minor modifications to its profile. During the course of the design plans preparation and after meeting with business owners, it was necessitated that the geometry be modified to minimize right-of-way related impacts created by the proposed improvements. Consideration was given to the property owners at the intersection in regards to providing adequate access to maintain truck circulation in and out of the businesses. In addition, this intersection will experience an increase of unexpected truck traffic due to new commercial businesses that are presently under construction in the segment of Oliver Holmes between Cooley and Hunts Lane. For this effort it was necessary to identify the following:

- Driveways – identify alternatives for driveway locations that optimize the use of the property and minimize right-of-way impacts.
- Turning templates – provide a design that meets design standards, keeping to a minimum maintenance by the City of Colton.

Task 6.3.2 Modifications to Truck Scale Location

After conversations between the County of San Bernardino and the business owners of the truck scales, our team will be preparing a design concept that preserves the existing building, modifies the already developed entrance to the Conagra emergency road. This concept will be prepared maximizing land use and minimizing right-of-way costs.

Task 6.3.3 Pedestrian Ramp at Clinic

The proposed raised profile of Hunts Lane will be restricting the existing access to the Clinic. After discussions with the project development team, our designers were asked to look at studying the feasibility of providing other forms of access to the Clinic in the event that the proposed access from Cooley will not be acceptable. Various stairs

options were developed to allow direct access to the Clinic from Hunts Lane. The options were developed keeping in mind ADA requirements and minimizing the footprint of it to avoid impacts to the entrance of the proposed emergency access tunnel.

Task 6.3.4 Modifications to plats and Property Descriptions

This task provides for various right-of-way changes such as acquisition of three parcels, to accommodate changes to the design of the project or to accommodate the cities needs in terms of maintenance and emergency access. These changes will create overall construction savings, facilitate future operations for City staff and would simplify the right-of-way procurement process.

To better describe the right-of-way services provided this far, our team completed plats and descriptions for thirty parcels (30) in December 2004, after the environmental NEPA process was completed, the right-of-way documents seals had expired. Our subconsultant DEA was requested to update 13 plats and legal descriptions and re-signed and re-seal all the previously prepared documents. These activities concluded in March 2008. Contingency Number 12 was fully utilized to cover the costs incurred under these activities. Upon further review from the County of San Bernardino and the engineering staff in August 2008, the number of plats and descriptions increased from thirty (30) to forty three (43). Some of the parcels required more than one plat and property description to take into account the differences between grading easements, temporary easements and so forth. It was concluded that twelve (12) new plats and nineteen (19) revisions to plats and legal descriptions were necessary. In February of 2009, as directed by SANBAG, DEA updated twelve (12) plats and legal descriptions as follows: five (5) change of easement type, four (4) modifications to the type of easement, three (3) new plats and legal descriptions. DEA was authorized \$3,500.

In March 2009, DEA was authorized an additional \$10,000, as approved by SANBAG, to update twelve (12) plats and legal descriptions. The list of properties was provided to SANBAG for review and approval. During April 2009 and to address final issues regarding maintenance access and temporary construction easements along the section between Riverwood and the channel as well as the Superior Scale House property, DEA was authorized to create new plats and easements and modify some of the existing ones. The total task requested including future updates is for the amount of \$28,890. The future updates provide for four additional plats and property descriptions that may be necessitated if a new signal is to be installed at the intersection of Hunts Lane and Oliver Holmes.

Task 6.3.5 Wall versus Slope Embankment

This task includes evaluation of options to provide for landscape and layout options for the segment between Riverwood and Mountain View. More specifically this task will include the following:

- Pros and Cons matrix of using a wall versus a slopping embankment
- A maximum of three (3) alternatives for the layout of pedestrian access to the Clinic as well as access for maintenance personnel
- A maximum of three (3) renderings to be used for public presentations and as an aid for City personnel to make decisions.
- Landscape concepts to be presented to PDT team for decision making purposes.

Task 6.4 – Utilities

These activities involve more than expected coordination efforts to ensure that all the utility companies provide input and approval to the proposed utility relocations. As the duration of the project was extended due to the environmental approval process, the utility coordination efforts had to be re-started to bring all the utility companies on board. Some of the more specific activities include:

Task 6.4.1 Utility Companies Additional Data

Due to turnover among utility companies' personnel, re-submittals of project plans and additional coordination were necessary to maintain the approval process moving forward. Some of the companies that required additional coordination are Adelphia, Riverside, Time Warner, Gas Company, California Edison, MCI, SBVMWD, Sprint, WMWD and AT&T.

Task 6.4.2 Edison Options (Underground and Aerial)

Due to availability of additional right-of-way on the City of Colton side, the Edison transmission and power lines will be relocated to the west side of Hunts Lane. Our team will, based on Edison's requirements, evaluate the optimum footprint for the power lines and make an assessment of the pros and cons of having them underground or on poles plus a review of construction sequencing options to avoid more than one move of the power poles. This activity will include specific coordination with Edison representatives.

Task 6.4.3 Options for Co-locating Utilities

This task will examine options for collocating within the City of Colton's utility corridor some of the San Bernardino utilities. The benefit of looking into this option is that it would facilitate maintenance of utilities for both corridors and perhaps reduce construction and maintenance costs. A proposed plan was prepared for all the utility companies involved for review and input.

Task 6.4.4 Utility Redesign on Colton Side

The San Bernardino storm drain will be re-designed to be located on the Colton side and alleviate utility congestion on the San Bernardino utility corridor. The proposed concepts will be presented to the City's representatives for final approval. The Colton's Water District lines will be modified to address these changes. There is a sewer line within the cul-de-sac at Mountain Wood that will be impacted by the new utility corridor. This effort will include the relocation of the existing manhole but does not provide for major redesign of the sewer line as it moves west from the project. Minor coordination with the telecommunications vaults is included under this task.

Task 6.4.5 Overflow Alarms for San Bernardino

At the request of the City of San Bernardino, the design team was asked to look into design options that provide overflow alarms for its sanitary sewer system.

Task 6.5 – Maintenance Agreement

The M&N team will revise the maintenance agreement to address jurisdictional issues pertaining to maintenance of the storm drain and landscaping as result of modifications to the utility corridor on the Colton side. A new revised version of the agreement will be submitted to



both cities, San Bernardino and Colton for review and approval. It is expected to go through one review by each City prior to finalizing the agreement.

Task 6.6 – City of Colton’s Requirements

In order to address concerns from the City of Colton’s Council, our team was requested to conduct unbudgeted studies regarding options for privacy walls, street lighting studies to avoid impacts to nearby residences, and respond to inquiries about design decisions made during the course of the design of the project.

Task 6.6.1 Privacy Wall Screening Studies

In response to the City of Colton’s inquiries, the design team conducted a study of the different options available for privacy screening walls. The study included an analysis of the potential impacts that a block wall may have on the proposed MSE wall and the bridge. The design team presented to the City of Colton staff a matrix with different available options as well as the pros and cons for each of them.

Any changes which may affect the current design of the bridge and/or the retaining wall, such as incorporating sound walls into the already designed bridge and MSE walls are not included as part of this request.

Task 6.7 – Engineering Modifications

The plans specifications and estimates will be revised to incorporate expected changes for the segment between Riverwood and the home owners Green Belt as well as modifications at Oliver Holmes.

Task 6.7.1 Revise Earthwork Templates

The design terrain model will be modified to provide for sloping of the embankment for the segment between Riverwood and Mountain View. In addition this activity will include grading within the segment to ensure proper drainage is provided. Based on the selected Option, we expect that a retaining wall design will be required.

Task 6.7.2 Sidewalk Lighting

Lighting plans will be prepared for the sidewalk proposed in the segment between Riverwood and Mountain View.

Task 6.7.3 Revise Plans

This activity includes the design effort required to include design modifications made at Oliver Holmes and the segment between Riverwood and Mountain View. Attachment 2 provides a full description of all the plan sheets that will require modifications.

Task 6.7.4 Revise Estimates

Under this task, the estimates will be updated to reflect the design changes discussed in Task 6.7.2.

Task 6.7.5 Revise Specifications

Under this task, the specifications and special provisions will be updated to reflect the design changes discussed in Task 6.7.2.

Task 6.7.6 Retaining Wall Design

A retaining wall will be designed to match the utility/access corridor Option 1 selected by the City of Colton. This effort includes geotechnical exploration and recommendations to support engineering design.

Task 6.7.7 Private Property Walls

New walls will be included to provide privacy and security to the properties adjacent to the houses that will be taken by the proposed utility corridor. There are four walls that will need to be designed as part of this effort. These activities also include surveying work to tie down property boundaries as well as geotechnical recommendations to support engineering design. It is the assumption that our team will be able to use Caltrans or City standard walls for all four walls. Any deviations from that assumption will be considered out of scope.

Task 6.7.8 Landscape and Irrigation

This activity provides for landscaping and irrigation plans for the new proposed utility corridor.

Task 6.8 – Water Quality Management Plan (WQMP)

Our team will prepare one WQMP to support the construction documents. The document will be prepared following the County of San Bernardino. There will not be costs added under this task as this effort was accounted for under Task 17 of Amendment 4 referred as a SWDR.

Task 6.9 – Traffic Signal at Oliver Holmes

To address concerns about increase in truck traffic and access to businesses at the intersection of Oliver Holmes and Hunts Lane, a traffic study will be conducted to determine if a traffic signal is warranted. In the event that a signal is needed at this location, our team will design the signal and the required intersection modifications.

Task 6.9.1 Traffic Signal Warrant

Our subconsultant KOA Corporation will prepare a traffic analysis at the intersection of Hunts Lane and Oliver Holmes Road. The traffic forecast at the intersection will be re-evaluated based on the SANBAG traffic model and the updated land use plan provided by the City of Colton. Turning movement at the intersection and average daily traffic will be calculated using a similar methodology applied in the previous study. Historical accident data in the vicinity of the study area will be obtained by contacting the City and conducting a traffic gap survey along Hunts Lane.

Based on the evaluation of the traffic/pedestrian projections, a detailed traffic signal warrant analysis will be conducted. The study will be based on guidelines and requirements set forth in the California Manual on Uniform Traffic Control Devices (MUCTD). A technical memorandum will be prepared to substantiate the findings of the study and recommendations.

Task 6.9.2 Traffic Signal Design

An intersection base plan will be prepared at 1"=20' scale. The base plan will show centerlines, right-of-way lines, and relevant proposed street improvements. Proposed or modified facilities will be designed and shown on the drawings to create a complete

traffic signal plan. Each plan will conform to the requirements of the City of Colton and will reference the latest edition of the Caltrans Standard Plans and Specifications. The plan will include notes, schedules and other features required to show future conditions completely and properly. The plans and specifications will include design features that are routinely used by the City of Colton at signalized intersections. Special coordination with the serving electrical utility will be required to provide traffic signal service and utility connections. We will make direct contact with the governing electrical company as required to secure electrical service. Traffic signal interconnect conduits and related communication facilities may be affected. This work will be shown in the intersection plan with notes explaining any work that does not appear on the plans.

Task 6.9.3 Roadway Design

The existing plans will be modified as needed to accommodate a traffic signal at the intersection of Oliver Holmes and Hunts Lane. The roadway plans will make necessary adjustments to left turn pockets and location of signal poles. We do not expect any changes to the alignment of the commercial driveway except for minor modifications to the curb returns.

Task 6.10 – Value Analysis (VA)

Our engineering staff will participate in a value analysis workshop. We expect to attend the first day morning session to assist the value analysis team with the overview of the technical aspects of the project and the assumptions made. We also expect to participate in the last day of the VA to discuss the conclusions recommended by the VA team. Because of the uncertainty of the recommendations of the VA team, we did not include engineering effort required to incorporate VE recommendations into the project design.

CREDIT TO SANBAG

Item 1. – Soundwall (CCO5)

Contract Change Order 5 included design of a soundwall that because of the modifications to the utility corridor on the Colton side will not be required any longer. During the course of the project and to avoid design delays and address drainage related issues, DEA was requested to provide survey data for two locations – the driveway for the house located on the north west quadrant of the Riverwood and Hunts Lane intersection and the entrance to the commercial center across Oliver Holmes on the San Bernardino side. This effort had a cost of \$2,000. In addition, exhibits were prepared and a meeting with a homeowner and City of Colton representatives took place to discuss impacts created by the project in terms of sound and safety. This effort had a cost of \$2,000. From the \$51,030 requested for these activities under CCO5, SANBAG will be credited \$47,030.

Item 2 – Instrumentation Control (CCO5)

SANBAG will get credit of \$23,000 from the requested amount under CCO5.

Item 3 – Screen Wall (Amendment 1)

Amendment 1 included preparation of three sheets to provide screen walls. It is our understanding that screen walls will not be required for this project. If conditions change, this item will be consider as out of scope. SANBAG will get a credit of \$23,528.

Item 4 – Shut-off Valves Design (CCO5)



SANBAG
Hunts Lane Project
CCO 6
5/4/2009

Contract Change Order 5 included provisions to design a leak detection system that would monitor potential leakage of the water lines adjacent to the MSE walls. As result of modifications to the utility corridor on the Colton, we feel there is adequate distance to the wall to eliminate the need of such system. On the San Bernardino side, it was requested that the water will be provided with casing to eliminate potential damage to the wall due to a rupture of the pipe. Prior to that, our team incurred significant effort identifying potential systems that would be suitable for the conditions presented at the project. Our technical staff prepared various recommendations for the representatives of each of the cities to consider. This item originally under CCO5 will not be necessary. Deducting the costs already incurred by Moffatt & Nichol, SANBAG will be credited \$25,000.

Fee Proposal SUMMARY SHEET

MOFFATT & NICHOL

Submitted Date: 4/30/2009

Project No. 4912

PROJECT: Hunts Lane Grade Separation

CLIENT: SANBAG

REQUEST DESCRIPTION: CC06 Out of scope work request

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL	DATE
6.1.1	Project Management	96	hr	\$1,480	\$141,120	
6.2.1	Revised APE Map	1	set	\$6,000	\$6,000	
6.2.2	Plaque Letter	1	set	\$441	\$441	
6.2.3	NEPA Revalidation Form	2	set	\$1,461	\$2,922	
6.2.4	Coordination with LSA/SANBAG/Calttrans	12	hr	\$2,000	\$24,000	
6.3.1	Right of Way Survey	5	set	\$1,600	\$8,000	
6.3.2	Modifications at Oliver Holmes	2	set	\$1,242	\$2,484	
6.3.3	Modifications to truck scale location	2	set	\$988	\$1,976	
6.3.4	Pedestrian ramp at Clinic	4	set	\$1,660	\$6,640	
6.3.5	Modifications to plans and property descriptions	16	hr	\$4,460	\$71,360	
6.4.1	Wall versus Slope Embankment	12	hr	\$3,165	\$37,980	
6.4.2	Utility Companies additional data	6	hr	\$3,685	\$22,110	
6.4.3	Edison options - underground and aerial	2	set	\$5,760	\$11,520	
6.4.4	Options for co-locating utilities	4	set	\$1,362	\$5,448	
6.4.5	Utility redesign on Calton slide	12	hr	\$2,001	\$24,012	
6.5.1	Overflow alarms for San Bernardino	8	set	\$1,602	\$12,816	
6.6.1	Modifications to agreement	1	set	\$1,602	\$1,602	
6.7.1	Privacy wall screening studies	24	hr	\$1,486	\$35,664	
6.7.2	Revised earthwork templates	32	hr	\$3,410	\$109,120	
6.7.3	Stakeout lighting	121	hr	\$9,062	\$1,096,542	
6.7.4	Revised plans	64	hr	\$3,045	\$194,720	
6.7.5	Revised estimates	34	hr	\$1,686	\$57,284	
6.7.6	Revised specifications	208	hr	\$7,520	\$1,564,160	
6.7.7	Retaining wall design	42	hr	\$1,688	\$70,896	
6.7.8	Private Property Walls (4 properties)	0	hr	\$0	\$0	
6.8.1	Landscaping	0	hr	\$0	\$0	
6.9.1	Preparation of WOMP	12	hr	\$502	\$6,024	
6.9.2	Traffic Signal Warrant	6	set	\$307	\$1,842	
6.9.3	Traffic Signal Design	40	hr	\$1,685	\$67,400	
6.10.1	Roadway design (signal)	24	hr	\$3,518	\$84,432	
6.10.2	Value Analysis (VA)	20	hr	\$4,396	\$87,920	
6.10.3	Overhead 150% Fixed Fee 10%	1	set	\$17,890	\$17,890	
6.10.4	Vehicle and Travel Communications (Postage, Phone, etc)	1	set	\$500	\$500	
6.10.5	Reproduction and Delivery	1	set	\$500	\$500	
6.10.6	Miscellaneous	1	set	\$0	\$0	
6.10.7	Credit to SANBAG (CC05 and Amend. 1)	1	set	\$118,556	\$118,556	

Item 1. Soundwall (CC05)	\$47,030
Item 2. Instrumentation Control (CC05)	\$23,030
Item 3. Screen wall (Amendment 1)	\$23,528
Item 4. Shut-off Valves Design (CC05)	\$25,000

ATTACHMENT "C"

Scope of Services

by and between

**San Bernardino Associated Governments/San Bernardino
County Transportation Authority**

and

Moffatt and Nichol Engineers

for

Construction Support Services

for

**Hunts Lane and Union Pacific Railroad Lines Grade Separation
City of Colton/City of San Bernardino, CA**

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110 Overview

The San Bernardino Associated Governments (SANBAG), in cooperation with the Cities of San Bernardino and Colton, will utilize the services of CONSULTANT to perform Construction Support Services for a new grade separation between the Union Pacific Railroad (hereafter known as "UPRR") lines and Hunts Lane in the City of San Bernardino and the City of Colton, California.

Coordination of CONSULTANT, SANBAG, City of San Bernardino and City of Colton (hereafter known as "Cities") will be accomplished through a CONSULTANT Project Manager, a SANBAG Contract Manager or his designee, and a Cities Project Manager.

The SANBAG Contract Manager for this Contract shall be:

Mr. Garry Cohoe
Director of Freeway Construction

CONSULTANT shall be required to perform the professional and technical engineering services necessary to perform the services.

120 Project Location and Description

The project proposes to construct a roadway and railroad track grade separation between the UPRR lines and Hunts Lane near Club Center Drive. The City of Colton is on the west side of Hunts Lane and the City of San Bernardino is on the east side of Hunts Lane at this location.

This Scope of Services will cover construction support services for this project. This project will utilize Plans and Specifications prepared by CONSULTANT, herein referred to as the Project.

200 APPLICABLE STANDARDS

As-built plans shall be prepared in accordance with the CITIES regulations, policies, procedures, manuals, and standards including compliance with Federal Highway Administration (FHWA) requirements and Standard Specifications for Public Work Construction (SSPWC).

300 **SERVICES PROVIDED BY CONSULTANT**

CONSULTANT shall be responsible for the Services outlined in this Scope of Services. CONSULTANT services shall conform to the standards, criteria, and requirements of this Scope of Services.

- A. CONSULTANT shall carry out the instructions as received from SANBAG's Contract Manager, or his designee, and shall cooperate with the CITIES, other agencies, and other consultants providing Services for the Project.
- B. It is not the intent of the foregoing paragraph to relieve CONSULTANT of professional responsibility during the performance of this Scope of Services. In those instances where CONSULTANT believes a better design, or solution to a problem is possible, CONSULTANT shall promptly notify SANBAG's Contract Manager of these concerns, together with reasons therefor.
- C. CONSULTANT shall coordinate its Services with other consultant(s) and contractors in support of the Project or related projects. Any problems or conflicts shall be brought to the immediate attention of SANBAG.
- D. At the completion of this Scope of Services all files and correspondence relating to the Project shall be turned over to SANBAG. This includes all working data, field data, and background information used in creating the deliverables listed in the Scope of Services.
- E. CONSULTANT shall obtain, at its expense, all applicable SSPWC, CALTRANS and CITIES Manuals and Standard Plans.
- F. SANBAG will be responsible for all construction bidding procedures. In the event that items requiring interpretation in the drawings or specifications are discovered during the bidding period, said items shall be analyzed by CONSULTANT for decision by SANBAG as to the proper procedure required. Corrective action will be in the form of an addendum prepared by CONSULTANT and issued by SANBAG, or, by a covering change order after the award of the construction Contract. CONSULTANT will also be available on an as-needed basis for final preparation of bid documents-including addressing any final updates or addressing comments from review agencies, addressing bid questions, producing bid document addenda, and other preconstruction activities as needed.
- G. Provisions of the Construction Support Services are not intended to and will not in any way create a contractual relationship between CONSULTANT and the construction contractor. The provisions are not intended to and shall not be construed as making CONSULTANT responsible for the failure of the construction contractor to perform the work in accordance with the Contract documents or for the construction means, methods or techniques procedures sequences or safety procedures employed by the construction contractor in the performance of the work.

- H. CONSULTANT shall be required to furnish all necessary additional drawings for corrections and change orders required by errors and/or omissions of CONSULTANT. Such drawings will be requested in writing from CONSULTANT by SANBAG and shall be at no additional cost to SANBAG. All original tracing(s) of the drawings and Contract wording for change orders shall be submitted to SANBAG for distribution.
- I. CONSULTANT may be required to attend a Partnering workshop with SANBAG and the construction contractor. This workshop will be at the request of the contractor.
- J. CONSULTANT may be requested to prepare any addenda required to clarify the work included in the Contract documents. Addenda may be based on site inspection, or questions developed in the pre-bid conference, or conditions discovered by bidders during the bid period.
- K. CONSULTANT shall be available to respond to questions in the field that may arise relative to the plans, details, or special provisions during construction.
- L. CONSULTANT shall be available to visit the job site for on-site review of construction, or to resolve any discrepancies in the Contract documents. CONSULTANT shall bring to the attention of the SANBAG Resident Engineer any defects or deficiencies in the work which CONSULTANT may observe. CONSULTANT shall have no authority to issue instructions on behalf of either SANBAG. All construction agreements are between SANBAG and its construction contractor.
- M. CONSULTANT shall review all submittal and shop drawings submitted by the resident engineer. CONSULTANT shall review submittals within the durations listed below. The durations are based on those called for in the Standard Specifications and Special Provisions for the particular type of document being submitted, less the following time period to account for transmittance of documents:
- One (1) day per week shall be deducted from review periods specified as 1 week or more in the Standard Specifications and Special Provisions.
 - One (1) day shall be deducted from review periods specified to be less than 1 week in the Standard Specifications and Special Provisions.
- Contract change order reviews shall be completed within three working days of receipt by the CONSULTANT for typical change order requests. Additional review time may be allotted for major change order requests.
- N. CONSULTANT shall appoint a responsible member of the firm to be the primary contact person for all construction support services. That person should be continually available during the course of construction for review and updating of design plans.
- O. CONSULTANT shall make every reasonable effort to process any material presented for review in a prompt manner.

- P. Upon completion of construction CONSULTANT shall be required to prepare and deliver to SANBAG the final "As-Builts" utilizing information provided by the SANBAG Resident Engineer.
- Q. Drawings and amendments, required due to actions of SANBAG/CITIES, which are beyond the scope of CONSULTANT responsibilities, shall be considered extra services. Prior authorization by SANBAG is required for any extra services to be completed by CONSULTANT; otherwise these services will not be approved for compensation.
- R. Except as required herein, the Consultant and Consultant's subconsultants shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials in any form at the project site, including but not limited to asbestos, asbestos products, mold, polychlorinated biphenyl (PCB) or other toxic substances. Consultant shall advise SANBAG in the event it becomes aware of the presence of any hazardous materials not otherwise indicated in the information provided by SANBAG to Consultant.
- S. Notwithstanding anything in this Agreement, Consultant shall not have control or charge of and shall not be responsible for construction means, methods, techniques, sequences procedures, safety measures, precautions and programs including enforcement of Federal and State safety requirements, in connection with construction work performed by SANBAG's construction contractors.

400 NOT USED

500 NOT USED

600 ADMINISTRATION

610 SANBAG Project Management and Administration

As part of their design management activities SANBAG shall:

- A. Conduct ongoing reviews of CONSULTANT progress in performing the work and furnish technical comments in a timely manner.
- B. Review CONSULTANT correspondence as needed.
- C. Coordinate the distribution of public information.
- D. Provide a focal-point contact for all questions, requests, and submittals.
- F. Review Project Control documents (including subconsultants) submitted by CONSULTANT to ensure their understanding of the level of information required, reporting procedures, report cycle, and the intended use of each.

- G. Receive and review progress reports from CONSULTANT and incorporate the data presented in their Project Control System.
- I. Review with CONSULTANT, requests for change orders and/or extensions of time when such requests are determined to be necessary.
- J. Have final review and approval over all contractual payments and changes.

620 CONSULTANT Project Management and Administration

- A. CONSULTANT's design management activities include, but are not limited to:
 - 1. Establishing, furnishing, and maintaining suitable office facilities to serve as the Contract office for the duration of the Contract.
 - 2. Maintaining an adequate staff of qualified support personnel to perform the work necessary to complete the Project.
 - 3. Establishing internal accounting methods and procedures acceptable to SANBAG for documenting and monitoring Contract costs.
 - 4. Providing cost-to-date, schedule, progress, staffing, and related data to SANBAG as a part of the regular progress and payment process.
- B. CONSULTANT's work shall be performed and/or directed by those key personnel identified in their proposal. Any changes in the indicated key personnel shall be subject to prior review and approval by SANBAG in writing. Any change in CONSULTANT's officer-in-charge of the Services, as described in the General Terms and Conditions of this Contract, shall be subject to prior review and approval by SANBAG.
- C. Due to the nature and scope of the required services, it may be desirable for the CONSULTANT to subcontract portions of the Services. Adding Subconsultants to the original proposal team must be approved in writing by SANBAG prior to initiation of any Services. The volume of Services performed by the subcontractors shall not exceed 49 percent of the total Contract value. Throughout this effort CONSULTANT shall be the single source of contact and management of all subcontractors. Subcontractor management will include the coordination time required for all aspects of the Project.
- D. CONSULTANT shall provide to SANBAG copies of all written correspondence between CONSULTANT and any party pertaining specifically to the Project. Copies shall be furnished within five calendar days of receipt of said correspondence from any party, or five calendar days prior to mailing of correspondence to any party for review.

- E. CONSULTANT shall give written notice to SANBAG within seven (7) working days after CONSULTANT knows or should know of any cause or condition which might, under reasonable foreseeable circumstances, result in delay for which CONSULTANT may request an extension of time to complete the Services.

630 Project Controls

- A. As part of the Project Controls effort CONSULTANT shall at the introductory meeting, present SANBAG with samples of their proposed project control documents for SANBAG's review and approval.
- B. As the Contract work progresses, CONSULTANT may discover the need to change the schedule to improve productivity or accommodate new or changed conditions. Any proposed change to the schedule shall be presented to SANBAG for review and validation prior to incorporation into the schedule.

640 Quality Assurance

CONSULTANT has total responsibility for the accuracy and completeness of the plans, calculations, and related documents furnished under this Scope of Services.

650 Reproduction Services

CONSULTANT shall provide the reproduction services required for the projects inclusive of the number of drawings to be delivered for the submittal tasks outlined in this Scope of Services.



3780 Kilroy Airport Way
Suite 600
Long Beach, California 90806

(562) 426-9551
Fax (562) 424-7489

May 6, 2009

San Bernardino Associated Governments
1170 W., 3rd Street, 2nd Floor
San Bernardino, Ca 92410-1715

Attention: Mr. Garry Cohoe
Director of Freeway Construction

Subject: Hunts Lane – Construction Support Services

Dear Mr. Cohoe:

As per your request and based on the scope of services outlined under Attachment C enclosed with this letter, we feel that the support effort could be performed within a budget of \$200,000. Due to the uncertainty of the extent of our involvement on this task, Moffatt & Nichol (M&N) will submit to SANBAG's Project Manager a labor estimate for each task as the need for our services arise. No work will be performed by M&N without prior approval from SANBAG.

We look forward to continuing to provide support to SANBAG and help bring this project to its successful completion. I will remain as the point of contact during the construction phase of the project and will have available the team members that were involved in the final phase of the design.

Please feel free to contact me should you have any questions.

Sincerely,

MOFFATT & NICHOL

Walt Quesada, PE
Project Manager

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 17

Date: June 3, 2009

Subject: Construction advertising and bid package approval for SR-210 Establish Existing Planting Work for Segment 4 in the City of Rancho Cucamonga

Recommendation:* Approve plans and specifications and authorize staff to proceed with advertising for the SR-210 Establish Existing Planting Work project for Segment 4 in the City of Rancho Cucamonga.

Background: This action will lead to a new Establish Existing Planting Work contract. In October 2005/2006 the Landscape Project for Segment 4 SR-210 in the City of Rancho Cucamonga was awarded to include the landscape construction and one year plant establishment by the landscape construction contractor which is scheduled for completion in September 2009. To fulfill SANBAG'S requirement for three years of landscape maintenance responsibility for SR-210 Segment 4, advertising of a new bid package and contract award for an additional two years of landscape plant establishment is required. Utilizing a landscape plant establishment contract versus the construction contract for an additional 2 year maintenance period provides a significant savings because of lower prevailing wage for workers. Water cost will be transferred directly to SANBAG for the remainder of the period.

The estimated cost of these services is \$420,000 which includes \$120,000 allowance for the purchase of irrigation water from Cucamonga Valley Water District.

*

*Approved
Board of Directors*

Date: June 3, 2009

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

Board Agenda Item
June 3, 2009
Page 2

Financial Impact: This action, by itself, imposes no financial impact. TN 824

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.

Responsible Staff: Garry Cohoe, Director of Freeway Construction

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

Minute Action

AGENDA ITEM: 18

Date: June 3, 2009

Subject: Right of Way expenses for the State Street/University Parkway Grade Separation project

Recommendation:* Increase authorized amount for Right of Way acquisition for the State Street/University Parkway Grade Separation in an amount not to exceed \$550,000.

Background: Since Spring 2006, SANBAG has been acquiring property as required for the State Street/University Parkway Grade Separation Project. On three occasions, items have been brought to the Board requesting and receiving approval for expenditures based on estimated costs for identified parcel acquisitions and utilities. The last estimate, approved by the Board on March 7, 2007, increased the total authorized amount to \$4.303 million. Since that time ongoing discussions have been occurring on parcels that were under eminent domain action. Several of these parcels have now been settled. The total costs for these settlements will exceed the previous Board authorized amount by approximately \$490,000. This request for increasing the authorized amount will address these settlements and allow a contingency for settlements with the several remaining properties in the eminent domain process.

These costs are being funded through the Transportation Congestion Relief Program (TCRP) which has already been allocated by the California Transportation Commission (CTC).

Financial Impact: This item is consistent with current Fiscal Year 2008/2009. TN 871

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Approved
Board of Directors

Date: June 3, 2009

Moved: *Second:*

In Favor: *Opposed:* *Abstained:*

Witnessed: _____

Board Agenda Item
June 3, 2009
Page 2

Reviewed By: This item was reviewed and unanimously recommended for approval by the Major Projects Committee on May 14, 2009.

Responsible Staff: Garry Cohoe, Director of Freeway Construction

Minute Action

AGENDA ITEM: 19

Date: June 3, 2009

Subject: Financial Commitment to the Southern California Regional Rail Authority (SCRRA) based upon the SCRRA Preliminary Budget for Fiscal Year 2009/2010

Recommendation:* 1. Approve the Fiscal Year 2009/2010 operating assistance financial contribution to the SCRRA in the amount of \$9,354,000 of which \$2,000,000 will be provided from Measure I Valley Rail and \$7,354,000 will be provided from Valley Local Transportation Funds (LTF) apportionment as identified in the Financial Impact Section.

2. Approve the Fiscal Year 2009/2010 capital assistance financial contribution to the SCRRA in the amount of \$12,109,500 of which \$10,318,462 will be provided from Federal Transit Administration (FTA) Section 5307 Fixed Guideway funds, \$1,207,600 from Measure I Valley Rail funds and \$583,438 from FTA Section 5309 Rail Modernization funds as identified in the Financial Impact Section.

Background: The Joint Powers Agreement forming the Southern California Regional Rail Authority (SCRRA) requires that a preliminary Budget be presented to the member agencies by May 1st of each year. On April 24th the SCRRA Board authorized the release of the FY 2009/2010 Preliminary Budget and requested the budget be return to the Board at its meeting of May 15th for further consideration. Each member agency must approve its financial contribution to the budget before

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Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

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35209000
Attachment:
BRD0906a1-vlb

the adoption of a Final Budget by the SCRRA Board no later than June 30th of each year.

The SCRRA Preliminary FY 2009/2010 Budget reflects a 3.0% system-wide average fare increase, a 15% Transit Transfer passenger co-pay. There have been no cuts to train service. Should the SCRRA Board revise the preliminary budget at their May 15th meeting, SANBAG staff will amend this agenda item to reflect those changes.

The proposed Preliminary Budget for Fiscal Year 2009/2010 totals \$256,949,400 in new funding request. This amount consists of \$169,224,700 for operations, \$46,727,600 for renovation and rehabilitation, and \$40,681,500 for new capital projects. The proposed operating budget is an increase of 2.9% over the amended FY 2008/2009 budget.

SANBAG's share of the train operations and services, maintenance-of-way, administration and services and insurance for next year is \$21,533,200. Revenues used to offset those expenses, including fare revenue and revenues received for dispatching, maintenance and other operations, will total \$12,179,200. SANBAG's contribution for the next fiscal year is \$9,354,000. The funding source will be Measure I Valley Rail and Valley LTF.

The proposed capital budget is comprised of renovation and rehabilitation projects and new capital projects. SANBAG's share budget of the renovation and rehabilitation is \$6,147,900 comprised of \$3,167,968 in FTA Section 5307 Fixed Guideway (FG), \$792,000 of Measure I Valley Rail and \$2,187,942 of American Recovery and Reinvestment Act (ARRA) FTA Section 5307 FG funds. SANBAG continues to fund two projects within the new capital project budget: sealed corridor work on the San Gabriel Subdivision and the annual contribution to the rolling stock replacement fund. These two projects will total \$815,600 of which \$400,000 will be made available from FTA Section 5307 FG and \$415,600 from Measure I Valley Rail. In addition funding for Keller Street Yard (\$836,000) and Positive Train Control (\$4,310,000) are included in the new capital and are funded by \$4,562,562 of ARRA FTA Section 5307 FG and \$583,438 of ARRA FTA Section 5309 Rail Modernization funds. SANBAG's total capital contribution is \$12,109,500.

The SANBAG Board approved the allocation of ARRA funds to the capital project listed above at their April 1, 2009 meeting.

Financial Impact: The total contribution to SCRRA for train operations in FY 2009/2010 is \$9,354,000 and is consistent with the proposed Task Budget 37710000 – Commuter Rail Operating Expense. The funding sources will be Measure I Valley Rail \$2,000,000 and Valley LTF \$7,354,000. The total contribution to SCRRA for capital projects is \$12,109,500, of which \$3,567,958 will be made available from FTA Section 5307 FG, \$1,207,600 from Measure I Valley Rail, \$6,750,504 from ARRA FTA Section 5307 FG and \$583,438 from ARRA FTA Section 5309 Rail Modernization funds. The amount of local funds required for capital projects is consistent with the proposed Task Budget 37910000 – Commuter Rail Capital Expense.

Reviewed By: This item was reviewed by the Commuter Rail Committee on May 21, 2009 and unanimously recommended for approval.

Responsible Staff: Michael Bair, Interim Director of Transit and Rail
Victoria Baker, Senior Transit Analyst

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
FISCAL YEAR 2009-10 BUDGET
OPERATING SUBSIDY ALLOCATION BY COUNTY
(\$000s)

	Total FY 09-10	LACMTA Share	OCTA Share	RCTC Share	SANBAG Share	VCTC Share
Expenses						
Train Operations & Services	\$104,748.6	\$54,168.9	\$23,663.1	\$8,139.7	\$13,728.7	\$5,048.2
Maintenance-of-Way	27,271.0	16,009.7	5,219.6	775.2	3,537.6	1,728.9
Administration & Services	20,716.7	10,431.2	3,789.0	2,118.0	2,194.8	2,183.8
Insurance	16,488.4	8,589.7	3,884.5	1,279.4	2,072.2	662.6
Total Expenses Incl. MOW	\$169,224.7	\$89,199.5	\$36,556.2	\$12,312.3	\$21,533.2	\$9,623.5
Revenues						
Gross Farebox	79,173.8	42,012.0	18,069.2	5,654.8	10,796.3	2,641.5
Dispatching	2,992.3	1,513.9	953.1	31.2	111.2	382.9
Other Operating	1,572.7	938.7	290.9	123.4	155.7	64.1
Maintenance-of-Way	11,099.0	7,070.1	2,178.7	0.0	1,116.0	734.2
Total Revenues	\$94,837.8	\$51,534.7	\$21,491.9	\$5,809.4	\$12,179.2	\$3,822.6
Total County Allocation	\$74,387.0	\$37,664.8	\$15,064.3	\$6,502.9	\$9,354.0	\$5,800.9
FY 2008-09 Budget	77,588.7	39,655.1	16,110.0	6,838.5	9,058.5	5,926.5
Increase/(Decrease)	(3,201.7)	(1,990.3)	(1,045.7)	(335.6)	295.5	(125.6)
Percentage Change	(4.13%)	(5.02%)	(6.49%)	(4.91%)	3.26%	(2.12%)

TABLE 4.1-2
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
FY2009-10 BUDGET
REHABILITATION/RENOVATION PROJECTS: NEW PROJECTS (\$000's)

No	Line	Project(s)	Total Budget	Remaining Budget	Member Provided Funds (1)/(2)					SCSRA Direct Funds					
					LACMTA Repayment (\$)	OCTA	RCTC	RCTC Repayment	SANBAG	SANBAG Repayment (\$)	VCTC	UPRR	Lease	State	Federal
1a	Ventura (Ventura Co)	Bridge Program	594.0	594.0	-	-	-	-	-	-	-	594.0	-	-	-
1b	Ventura (Ventura Co)	Signal Program	593.3	593.3	-	-	-	-	-	-	-	593.3	-	-	-
2a	Ventura (LA Co)	Track Program	2,202.0	2,202.0	2,202.0	-	-	-	-	-	-	-	-	-	-
2b	Ventura (LA Co)	Bridge Program	225.0	225.0	225.0	-	-	-	-	-	-	-	-	-	-
2c	Ventura (LA Co)	Signal Program	1,421.3	1,421.3	1,421.3	-	-	-	-	-	-	-	-	-	-
3a	Valley	Track Program	1,816.1	1,816.1	1,816.1	-	-	-	-	-	-	-	-	-	-
3b	Valley	Signal Program	2,143.4	2,143.4	2,143.4	-	-	-	-	-	-	-	-	-	-
4a	San Gabriel	Track Program	4,181.8	4,181.8	4,181.8	-	-	-	-	-	-	-	-	-	-
4b	San Gabriel	Signal Program	1,818.0	1,818.0	1,818.0	-	-	-	-	3,251.8	360.0	-	-	-	-
5a	Pasadena	Track Program	122.7	122.7	122.7	-	-	-	-	-	-	-	-	-	-
5b	Pasadena	Signal Program	320.6	320.6	320.6	-	-	-	-	-	-	-	-	-	-
6a	Orange	Signal Program	548.4	548.4	548.4	-	-	-	-	-	-	-	-	-	-
6b	Orange	Fiber Conduit	14,919.3	14,919.3	14,919.3	-	-	-	-	-	-	-	-	-	-
7a	River	Track Program	1,501.3	1,501.3	402.1	-	14,919.3	-	-	-	-	-	-	-	-
7b	River	Signal Program	45.4	45.4	21.6	-	107.3	94.0	-	121.7	-	60.8	658.4	-	-
8a	Riverside County	Signal Program	1,670.0	1,670.0	-	-	-	1,670.0	-	-	-	3.3	-	-	-
8b	System	Rail Grinding Program	50.0	50.0	23.9	-	9.9	6.9	-	-	-	3.6	-	-	-
8c	System	Rolling Stock Rehab/Replacement	4,000.0	4,000.0	1,428.0	-	593.4	333.3	-	431.6	-	215.7	-	-	-
8d	System	ACE Lease to Support Rehab Program	26.2	26.2	13.9	-	6.3	3.2	-	4.2	-	2.1	1,000.0	-	-
8e	System	Vehicles	500.0	500.0	237.7	-	98.9	55.5	-	71.9	-	35.0	-	-	-
8f	System	San Bernardino Interlocker	100.0	100.0	48.4	-	11.8	8.7	-	34.1	-	-	-	-	-
8g	System	MOW Facility	2,000.0	2,000.0	163.7	-	682.3	368.8	-	503.6	-	251.6	-	-	-
8h	System	PIS Upgrade	2,000.0	2,000.0	2,000.0	-	-	-	-	-	-	-	-	-	-
8i	System	TVM Rehab & Replacement	474.4	474.4	233.5	-	93.8	52.7	-	66.3	-	34.1	-	-	-
8j	System	Design Replacement of SB Interlocker	200.0	200.0	94.9	-	23.6	11.4	-	68.1	-	-	-	-	-
8k	System	Upgrade Engineering & Microwave System Design	920.4	920.4	437.5	-	182.1	102.2	-	132.4	-	86.2	-	-	-
8l	System	MOW Equipment	1,450.0	1,450.0	424.8	-	395.7	216.9	-	290.8	-	140.2	-	-	-
8m	System	Facilities Rehabilitation	1,102.9	1,102.9	524.3	-	218.2	122.5	-	156.7	-	79.3	-	-	-
Total New Rehab/Revov			46,727.8	46,727.8	15,540.0	457.4	17,500.0	3,048.8	-	5,787.9	360.0	2,838.0	635.4	1,000.9	-
Total Ongoing and New Rehab/Revov			133,348.3	76,857.1	24,655.1	727.4	21,334.8	4,779.0	60.1	12,161.7	458.4	3,114.4	1,164.2	2,397.3	2,897.9

(1) LACMTA funds are 100% Local; OCTA, SANBAG, SANBAG Repayment, and RCTC Repayment funds are 20% Local, 80% Federal; RCTC, and VCTC funds are 100% Federal.
(2) Member provided funds include Federal American Recovery and Reinvestment Act of 2008 (ARRA) funds of \$1,870,000 RCTC, \$2,167,942 SANBAG and \$590,000 VCTC.
(3) In FY2008-10 LACMTA has agreed to fund \$457,600 of OCTA's Rehab/Revov obligations as first repayment of advance funding on Keller Street Yard & Mail Dock at LAUS projects.
(4) In FY2008-10 SANBAG has agreed to fund \$380,000 of LACMTA's Rehab/Revov obligations as repayment of advance funding on PTC - Upgrade Dispatch Center project.

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TABLE 4.2
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY
FY2009-10 BUDGET

NEW CAPITAL PROJECTS (\$000's)

Prior Years Project Authorization

No. Project	Total Budget	Remaining Budget	Member Provided Funds (1)				SCRRRA Direct Funds			
			LACMTA	OCTA	RTCTC	SANBAG	VGTC	Federal	State	Other
1 Eastern Maintenance Facility	49,458.3	13,040.1	6,328.9	2,332.5	1,172.6	3,206.1	-	2,752.5	-	-
2 Pomona Station Improvements	5,215.5	4,149.1	1,386.6	-	-	-	-	-	-	-
3 San Juan Capistrano Passenger Info. System	85.0	89.0	-	69.0	-	-	-	-	-	-
4 Keller Street Yard (2)(3)	11,957.7	9,931.9	380.1	4,152.9	697.7	-	-	-	4,701.1	-
5 Mail Dock at LAUS (2)(5)	24,800.0	23,988.2	-	2,188.2	-	-	-	-	21,800.0	-
6 Orange County Service Expansion	95,000.0	84,696.6	-	84,936.5	-	-	-	-	-	-
7 Sealed Corridor - Design	900.0	255.5	-	-	-	-	-	-	255.5	-
8 Conduit Installation - S.B. County ROW	1,798.0	1,798.0	-	-	-	1,785.2	-	-	-	-
9 Sealed Corridor - San Gabriel Sub.	1,000.0	853.5	-	-	-	953.5	-	-	-	-
10 Fiber Installation (4)(5)(6)	8,090.4	7,351.2	-	-	-	-	-	-	-	-
11 Tunnel 25 Intrusion Detection (4)	3,000.0	2,994.1	-	-	-	-	-	184.2	7,167.0	-
12 Prop 1B - Swing Gates & Fencing (4)	1,486.1	1,454.2	-	-	-	-	-	-	2,994.1	-
13 Antelope Valley Improvements	1,100.0	704.4	704.4	-	-	-	-	-	1,454.2	-
14 Vincent Grade/Action 2nd Platform	650.0	524.5	524.5	-	-	-	-	-	-	-
15 Positive Train Control	5,537.5	5,403.8	3,258.9	808.8	453.7	588.2	294.0	-	-	-
16 Automatic Train Stop	1,188.8	1,090.0	813.4	526.5	-	121.7	-	-	-	-
17 Electronic Efficiency Testing System	400.0	400.0	190.0	79.2	44.4	57.8	28.8	-	-	-
18 Purchase/Rebuild Used Locomotives	46,272.7	8,052.5	947.8	7,104.9	-	-	-	-	-	-
19 Rolling Stock Procurement	217,448.9	126,718.0	15,015.1	84,015.2	4,568.8	-	-	-	-	13,117.9
20 16 Locomotive AESIS Devices (7)	108.8	108.8	-	-	-	-	-	-	108.8	-
21 Forward Facing Cameras (4)	380.0	375.4	-	-	-	-	-	-	375.4	-
22 Prop 1B - Rolling Stock Spare Parts (3)	2,500.0	2,500.0	-	-	-	-	-	-	2,500.0	-
23 Prop 1B - SANBAG Rail Cars (3)	5,500.0	5,500.0	-	-	-	-	-	-	5,500.0	-
24 Inward Facing Cameras	482.0	389.2	-	-	-	-	-	-	-	-
Total Prior Years Project Authorization	485,272.4	302,896.0	29,768.8	196,026.7	6,933.3	6,712.3	348.2	2,836.7	48,857.0	13,117.9

FY2009-10 Project Authorization

No. Project	Total Budget	Remaining Budget	Member Provided Funds (1)				SCRRRA Direct Funds			
			LACMTA	OCTA	RTCTC	SANBAG	VGTC	Federal	State	Other
25 Keller Street Yard (6)	2,658.0	2,658.0	-	-	780.0	898.0	980.0	-	-	-
26 Sealed Corridor - San Gabriel Subdivision	500.0	500.0	-	-	-	500.0	-	-	-	-
27 Antelope Valley Improvements	4,000.0	4,000.0	4,000.0	-	-	-	-	-	-	-
28 Vincent Grade/Action 2nd Platform	2,500.0	2,500.0	2,500.0	-	-	-	-	-	-	-
29 Positive Train Control (6)	17,825.5	17,825.5	5,015.5	1,234.5	4,785.6	4,310.0	2,480.0	-	-	-
30 RTCTC Rail Cars	13,300.0	13,300.0	-	-	13,300.0	-	-	-	-	-
Total FY2009-10 Project Authorization	49,681.5	49,681.5	11,515.5	1,234.5	18,845.8	6,648.0	3,440.0	-	-	-

No. Project	Total Budget	Remaining Budget	Member Provided Funds (1)				SCRRRA Direct Funds			
			LACMTA	OCTA	RTCTC	SANBAG	VGTC	Federal	State	Other
Total Project Authorization (Prior + Current)	535,953.9	343,577.5	41,274.3	197,261.1	25,783.9	12,356.3	3,788.2	2,836.7	48,857.0	13,117.9
31 Annual Contribution - Reserves for Rolling Stock	315.6	315.6	-	-	-	315.6	-	-	-	-
Total New Capital Budget	536,269.5	343,893.1	41,274.3	197,261.1	25,783.9	12,671.9	3,788.2	2,836.7	48,857.0	13,117.9

- (1) Member Provided Funds are a mix of Local, State, and Federal Funds.
(2) OCTA funded the Keller Street and Mail Dock projects 100% with the understanding that other Members' shares will be funded through other Capital projects over 5 years.
(3) State funding is award of Prop 1B FY 2007-08 Transit funds.
(4) State funding is award of Prop 1B FY 2007-08 Safety/Security funds.
(5) State funding is award of Prop 1B FY 2007-08 Intensity Rail funds.
(6) Federal funding is award of FY 2005-06 Transit Security Grant Program funds.
(7) State funding is award of South Coast Air Quality Management District (SCAQMD) grant in FY 2007-08.
(8) Member provided funds are Federal American Recovery and Reinvestment Act of 2009 (ARRA) funds.

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
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Minute Action

AGENDA ITEM: 20

Date: June 3, 2009

Subject: First Amendment to Contract No. 09148 with Michael A. Bair for Transit and Rail Consultation Services

Recommendation:* Approve Amendment No. 1 to Contract No. C09148-1 between Michael A. Bair and SANBAG to provide services related to the implementation of Transit and Rail programs. The contract is to cover a period through June 30, 2010 for an average of two days of service per week and is for an amount not to exceed \$92,160 for the entire year.

Background: After the retirement of SANBAG's Director of Transit and Rail Programs, SANBAG contracted with Michael A. Bair, our retired Director of Transit and Rail Programs, to provide part time consulting services to SANBAG. The term of the original contract ends on June 30, 2009.

While SANBAG continues its recruitment efforts for a new Director of Transit and Rail Programs, there is a continuing need for consulting services to maintain continuity of these programs. Under the terms of this amendment, Mr. Bair will continue as a contract employee of SANBAG and will generally work 32 hours per pay period. The term of the contract is extended to June 30, 2010 though the contract allows for termination once the

Approved
Board of Directors

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

Executive Director determines there is no longer a need for these services. The intent is to retain Mr. Bair's services while the recruitment for a new Director of Rail and Transit Programs is completed and perhaps for a short transition period once a new Director has been hired. This amendment will allow SANBAG Transit and Rail programs to continue smoothly and without interruption in the new fiscal year.

Financial Impact: The amount of the amendment will not exceed \$92,160 and will be split between task 30910000 General Transit at \$36,000 and task 35210000 General Commuter Rail at \$56,160. The amount is within the Fiscal Year 2009/2010 Budget under professional services.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Administrative Committee on May 13, 2009. The contract amendment has been reviewed as to form by Legal Counsel.

Responsible Staff: Duane A. Baker, Director of Management Services

SANBAG Contract No. C09148-01
by and between
San Bernardino Associated Governments
and
Michael A. Bair
for
Transit and Rail Consultation Services

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Amendment

Notes:

Original Contract:	\$ <u>31,680.00</u>	Previous Amendments Total:	\$ _____
Contingency Amount:	\$ _____	Previous Amendments Contingency Total:	\$ _____
		Current Amendment:	\$ <u>92,160.00</u>
		Current Amendment Contingency:	\$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 123,840.00

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
<u>309</u>	<u>5110</u>	<u>LTF - Planning</u>	_____	\$36,000.00
<u>352</u>	<u>5510</u>	<u>LTF- Planning</u>	_____	\$56,160.00

Original Board Approved Contract Date: <u>3/4/09</u>	Contract Start: <u>3/14/09</u>	Contract End: <u>6/30/09</u>
New Amend. Approval (Board) Date: <u>6/3/09</u>	Amend. Start: <u>7/1/09</u>	Amend. End: <u>6/30/10</u>

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>09/10</u> \$ <u>92,160.00</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ _____
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Is this consistent with the adopted budget? ☒ Yes ☐ No
If yes, which Task includes budget authority? 30910000 & 35210000
If no, has the budget amendment been submitted? ☐ Yes ☐ No

CONTRACT MANAGEMENT

Please mark an "X" next to all that apply:

☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly Local

Disadvantaged Business Enterprise: ☒ No ☐ Yes _____ %

Task Manager:

Contract Manager:

Task Manager Signature

Date

Contract Manager Signature

Date

Chief Financial Officer Signature

Date

C09148-01
30909000 & 35209000

AMENDMENT NO. 1 to CONTRACT NO.C09148

By and between
San Bernardino Associated Governments
and
Michael A. Bair
for
Transit and Rail Consultation Services

THIS IS THE FIRST AMENDMENT TO CONTRACT No. C09148 ("Contract") entered into in the State of California by and between San Bernardino Associated Governments, hereinafter called SANBAG, and Michael A. Bair, hereinafter called Contractor.

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, SANBAG executed Contract with Contractor on March 4, 2009 for Transit and rail Consultation Services, and

WHEREAS, Contractor and SANBAG mutually desire to amend the terms of that Contract;

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties agree to amend the Contract as follows:

I. Section III of the original Contract shall be amended and replaced with the following:

III. TERM

This Contract shall be effective March 14, 2009, and shall remain in effect until June 30, 2010 subject to the termination provisions of this paragraph. Notwithstanding the foregoing, either party may terminate this Contract at any time without cause with a fourteen (14) day prior written notice to the other party. This Contract may be terminated for just cause immediately by SANBAG. Contractor shall serve at the pleasure of the Executive Director of SANBAG, or his/her designee, who shall have the full authority and discretion to exercise SANBAG rights under this paragraph.

II. Section IV A and B of the original Contract shall be amended and replaced with the following:

IV. COMPENSATION OF CONTRACTOR

Upon the effective date of this Contract, Contractor shall be considered a contract employee for SANBAG.

- A. For and in consideration of Contractor's services, SANBAG agrees to pay Contractor, and Contractor agrees to accept the hourly rate of \$120.00. Payment for such services shall be made on a biweekly basis on the same reporting system and payroll schedule as all other SANBAG employees.
- B. In the performance of the duties under this Contract, Contractor shall be required to work six (6) days or 48 hours per pay period through March 27, 2009; four (4) days or 32 hours per pay period between March 28, 2009 and June 19, 2009; three days or 24 hours per pay period between June 20, 2009 and June 30, 2009; and four (4) days or 32 hours per pay period between July 1, 2009 and June 30, 2010 to carry out the duties specified in this Contract under the direction of the Executive Director and such requirement may be varied so long as the work requirements and efficient operation of SANBAG are assured.

III. Only those sections specifically listed above are amended and the balance of the Contract remains in effect.

SAN BERNARDINO
ASSOCIATED GOVERNMENTS

MICHAEL A. BAIR

By: _____
Gary C. Ovitt
SANBAG Board President

By: _____
Michael A. Bair

Date: _____

Date: _____

By: _____
Jean Rene Basle
SANBAG Counsel

Date: 5-20-09

DISCUSSION ITEMS

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 21

Date: June 3, 2009

Subject: Election of SANBAG Officers for 2009/2010

Recommendation:* Conduct election for President and Vice President of the SANBAG Board of Directors for 2009/2010.

Background: In accordance with the SANBAG Bylaws, the Board of Directors annually elects officers of the organization. This item provides for the election of officers for 2009/2010. Section B of the SANBAG Bylaws indicates:

The Office of President shall alternate annually between county representatives and city representatives. In years when the President is a county representative, the Vice President shall be a city representative and vice versa.

In accordance with SANBAG Policy No. 10002, the SANBAG Vice President shall serve as Chair of the Administrative Committee.

An informal practice has been established which rotates the city officer position among East Valley, West Valley, and Mountain/Desert city members. However, this informal practice will have no bearing on the 2009 election. A Chronology of Officers is attached to this agenda item for information.

*

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

New officers will take office at the July Board of Directors and Administrative Committee meetings. Selection of policy committee chairs and vice chairs will be scheduled during the month of June.

Financial Impact: This item has no financial impact on the SANBAG budget. Staff activities related to officer elections is consistent with the adopted SANBAG budget, Task No. 60110000.

Reviewed By: The date of this election was on the May Board of Directors agenda as a discussion item. This item has not been reviewed by any SANBAG policy committee. It is consistent with the agency bylaws and past practices.

Responsible Staff: Duane A. Baker, Director of Management Services

Attachment #1 SANBAG Chronology of Officers

List of Officers who have served on the SANBAG Board of Directors from 1973 to the present.

Term	President	Vice President
2008-2009	Gary Ovitt Board of Supervisors	Paul Eaton City of Montclair
2007- 2008	Lawrence Dale City of Barstow	Gary Ovitt Board of Supervisors
Jan. 2007- June 2007	Dennis Hansberger Board of Supervisors	Lawrence Dale City of Barstow
July 2006- Dec. 2006	Dennis Hansberger Board of Supervisors	James Lindley City of Hesperia
2005-2006	Kelly Chastain City of Colton	Dennis Hansberger Board of Supervisors
2004-2005	Paul Biane Board of Supervisors	Kelly Chastain City of Colton
2003-2004	Bill Alexander City of Rancho Cucamonga	Paul Biane Board of Supervisors
2002-2003	Bill Postmus Board of Supervisors	Bill Alexander City of Rancho Cucamonga
2001-2002	Jim Bagley City of Twentynine Palms	Bill Postmus Board of Supervisors
2000-2001	Dennis Hansberger Board of Supervisors	Jim Bagley City of Twentynine Palms
1999-2000	Robert Christman City of Loma Linda	Dennis Hansberger Board of Supervisors
1998-1999	Kathy A. Davis Board of Supervisors	Robert Christman City of Loma Linda
1997-1998	David Eshleman City of Fontana	Kathy A. Davis Board of Supervisors
1996-1997	Jon Mikels Board of Supervisors	David Eshleman City of Fontana
1995-1996	Jim Busby City of Victorville	Jon Mikels Board of Supervisors
1994-1995	Jerry Eaves Board of Supervisors	Jim Busby City of Victorville

1993-1994	Laurie Tully-Payne City of Highland	Jerry Eaves Board of Supervisors
1992-1993	Barbara Cram Riordan Board of Supervisors	Laurie Tully-Payne City of Highland
1991-1992	Larry Rhinehart City of Montclair	Robert Hammock Board of Supervisors
1990-1991	Marsha Turoci Board of Supervisors	Larry Rhinehart City of Montclair
1990-1991	A.W. Bill Speyers City of Big Bear Lake	Marsha Turoci Board of Supervisors
1989-1990	Larry Walker Board of Supervisors	A.W. Bill Speyers City of Big Bear Lake
1988-1989	Elmer Digneo City of Loma Linda	Larry Walker Board of Supervisors
1987-1988	Jon Mikels Board of Supervisors	Elmer Digneo City of Loma Linda
1986-1987	Frank Carpenter City of Upland	Jon Mikels Board of Supervisors
1985-1986	Barbara Cram Riordan Board of Supervisors	Jon Mikels City of Rancho Cucamonga
1984-1985	Edward Dondelinger City of Adelanto	Barbara Cram Riordan Board of Supervisors
1983-1984	David McKenna Board of Supervisors	Edward Dondelinger City of Adelanto
1982-1983	John Longville City of Rialto	David McKenna Board of Supervisors
1981-1982	Cal McElwain Board of Supervisors	John Longville City of Rialto
1980-1981	Homer Briggs City of Ontario	Cal McElwain Board of Supervisors
1979-1980	Robert Hammock Board of Supervisors	Homer Briggs City of Ontario
1978-1979	Chresten Knudsen City of Redlands	Joe Kamansky Board of Supervisors
1977-1978	Robert Townsend Board of Supervisors	George Goldsmith City of Barstow
1976-1977	Eileen Carter City of Chino	Robert Townsend Board of Supervisors
1975-1976	James Mayfield Board of Supervisors	Jack Cummings City of Redlands
1974-1975	John McCarthy City of Upland	James Mayfield Board of Supervisors
1973-1974	Nancy Smith Board of Supervisors	John McCarthy City of Upland